

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS

No. 6:21-cv-00081

Courtney Leigh McDonald,
Plaintiff,
v.
Commissioner of Social Security,
Defendant.

ORDER

On January 24, 2022, plaintiff Courtney McDonald filed an amended motion for attorney fees under the Equal Access to Justice Act (“EAJA”). Doc. 26. The Commissioner filed a response indicating that she did not object to an award of reasonable attorney fees under the EAJA in this case. Doc. 27. The motion was referred to Judge Love for findings of fact and recommendation for disposition.

On February 3, 2022, Judge Love issued a report and recommendation, recommending that plaintiff’s motion be granted and the Commissioner pay to Plaintiff the sum of \$4,005.46 in reasonable attorney fees under the EAJA. Doc. 28.

Neither party has filed objections to Judge Love’s report and recommendation, and the timeframe for doing so has passed. The court therefore reviews the magistrate judge’s findings for clear error or abuse of discretion and reviews his legal conclusions to determine whether they are contrary to law. *See United States v. Wilson*, 864 F.2d 1219, 1221 (5th Cir. 1989) (holding that, if no objections to a magistrate judge’s report are filed, the standard of review is “clearly erroneous, abuse of discretion and contrary to law”).

Having reviewed the magistrate judge’s report, and being satisfied that it contains no clear error, the court accepts its findings and recommendation. Accordingly, the report and recommendation (Doc. 28) is accepted. Plaintiff’s motion (Doc. 26) is granted, and the Commissioner shall pay to plaintiff the sum of \$4,005.46 by

making the payment payable to plaintiff and sending the payment to plaintiff's counsel.

So ordered by the court on February 22, 2022.

A handwritten signature in black ink, appearing to read "J. Campbell Barker", is written over a horizontal line.

J. CAMPBELL BARKER
United States District Judge